

RECLAMATION

Managing Water in the West

DRAFT FINDING OF NO SIGNIFICANT IMPACT

Storage and Return of Westlands Water District's Central Valley Project Water in Semitropic Water Storage District

FONSI-09-157

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U.S. Department of the Interior
Bureau of Reclamation
South-Central California Area Office

Date

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In accordance with section 102(2)(c) of the National Environmental Policy Act (NEPA) of 1969, as amended, the South-Central California Area Office of the U.S. Bureau of Reclamation (Reclamation), has determined that the approval of a water banking project in which Westlands Water District (WWD) will bank up to 50,000 AF of its allocated 2009-10 Central Valley Project (CVP) contract supply prior to March 1, 2010 in Semitropic's facilities for use by WWD at a later date is not a major federal action that would significantly affect the quality of the human environment and an environmental impact statement is not required. This Finding of No Significant Impact is supported by Reclamation's Draft Environmental Assessment (EA) Number EA-09-157, and is hereby incorporated by reference.

Background

WWD has been participating in groundwater banking at Semitropic Water Storage District (Semitropic) since 2005 as allowed under Article 3 (d) of Westlands' interim renewal contract, Contract No. 14-06-200-495A-IR1. WWD has a balance of 14,859 acre-feet (AF) of CVP water at Semitropic from 2005 and 2006 banking.

Reclamation has a contractual relationship with WWD which gives authority for the banking of CVP water and Reclamation's approval to bank water outside of WWD's service area; however, one of the actual Semitropic banking partners and owners of some of the banked water are landowners within WWD.

Poso Creek Water Company, LLC (consisting of landowners within WWD, "Poso Creek") has entered into a long-term banking agreement with Semitropic dated April 23, 2007 in which Poso Creek is a full banking partner invested at 60,000 AF of guaranteed storage capacity in the Semitropic water bank. The term of this agreement runs through December 31, 2035.

Reclamation proposes to approve a water banking project in which WWD would bank up to 50,000 AF of its allocated 2009-10 CVP contract supply prior to March 1, 2010 in Semitropic's facilities for use by WWD at a later date. The CVP water to be banked would be in excess of WWD's demands.

WWD would then recover up to 20,000 AF per year of any banked water during ongoing water supply shortages when water supply is insufficient to meet demand. Banking would occur prior to March 1, 2010. Water would be returned within 10 years of the initial potential banking deposits, so any water banked in water year 2009 must be returned by water year 2019, unless Reclamation, WWD and Semitropic can agree to terms for an extension which would require further environmental analysis.

It is anticipated that the delivery of up to 50,000 AF of 2009-10 allocated WWD CVP water would be conveyed to Semitropic during the months of December through February of 2010. Ten percent of the CVP water delivered to Semitropic would be left behind to compensate for aquifer losses as required by Semitropic's Memorandum of Understanding with the surrounding districts. The remaining balance of WWD water delivered would be credited to either the Poso Creek account, or an interim WWD account. Semitropic would use the delivered CVP water, in lieu of pumping groundwater, for irrigation purposes within Semitropic. WWD would use banked supplies, returned via exchange, for irrigation purposes on established agricultural lands within WWD. WWD could never withdraw more water from the bank than its current banked balance.

Reclamation's finding that implementation of the Proposed Action will result in no significant impact to the quality of the human environment is supported by the following findings:

FINDINGS

Surface Water Resources

The Proposed Action will improve WWD's water supply reliability and operational efficiency, especially during future ongoing water supply shortages. The proposed delivery of CVP water to Semitropic and the subsequent banking and return via exchange to WWD will occur through existing State Water Project (SWP), CVP, Semitropic, and WWD facilities. No new facilities will be needed as a result of the Proposed Action. The Proposed Action will not interfere with the normal operations of the SWP or CVP facilities, nor will it impede any SWP or CVP obligations to deliver water to other contractors or to local fish and wildlife habitat. Furthermore, the Proposed Action will not alter the quantity or timing of diversions from the San Joaquin-Sacramento Rivers Delta. Neither WWD nor any CVP or SWP water user will be changing historic land and water management practices as a result of the Proposed Action.

The Proposed Action will result in no major changes to SWP and CVP facilities operations. Therefore, there will be no significant impacts to surface water resources.

Groundwater Resources

Groundwater banking reduces overdraft by utilizing surface supplies in lieu of groundwater pumping. The Proposed Action will provide water to WWD during future ongoing water supply shortages, and therefore reduce the need to pump groundwater in order to supplement potential shortages. WWD will not be pumping groundwater to make the CVP water available for banking. The CVP supply WWD desires to bank is in excess of their immediate needs. The Proposed Action will not adversely affect the groundwater under WWD. In fact, with the availability of up to 20,000 AF of previously banked water supplies available for future water supply shortages, the Proposed Action will likely decrease reliance on groundwater pumping by landowners in WWD during future water supply shortages. The Proposed Action will help protect the local aquifer from overdraft in the interim period and the majority of the 10 percent loss will be permanently left within the groundwater basin. Therefore, there will be no adverse impacts to groundwater resources.

Land Use

Neither WWD nor Semitropic are changing historic land or water management practices as a result of the Proposed Action. All water will move through existing facilities and be placed on established agricultural lands. None of the banked water will be used to place any untitled or new lands into production, or to convert undeveloped land to other uses. WWD will not promote additional land to be farmed. Any water that is delivered to WWD as a result of this Proposed Action will be used on established agricultural lands to help offset ongoing water supply shortages faced by WWD and hence, reduce the amount of groundwater pumped or reduce transfers from other sources. Therefore, no significant impacts to land use are expected from the Proposed Action.

Biological Resources

The Proposed Action only addresses use and storage of water that will be made available south of Delta after it has been diverted from natural waterways and placed in man-made distribution systems (canals/reservoirs and groundwater banks). There will be no effect on the listed salmonids, green sturgeon or the delta smelt and their respective critical habitats. This Proposed Action will have no effect on natural stream systems that comprise or contain salmonid critical habitat, nor on any stream systems that comprise the habitat of the green sturgeon. The Proposed Action will not affect the primary constituent elements of delta smelt critical habitat. There will be no effect to this suite of species and their designated critical habitat which have not already been addressed under the Endangered Species Act.

Based on the above effects analysis, Reclamation has determined that the Proposed Action will have no effect on threatened and endangered species or their designated critical habitats and no further consultation is required under Section 7 of the Endangered Species Act.

Cultural Resources

The Proposed Action is administrative in nature and is the type of activity that has no potential to affect historic properties pursuant to the regulations at 36 CFR Part 800.3(a)(1). There will be no modification of water conveyance facilities and no activities that will result in ground disturbance. Because there will be no potential to affect historic properties, no cultural resources will be impacted as a result of implementing Proposed Action. Therefore, there will be no significant impacts from the Proposed Action.

Indian Trust Assets

There are no tribes possessing legal property interests held in trust by the United States in the water involved with this action, nor is there such a property interest in the lands designated to receive the water proposed in this action, therefore Indian trust assets will not be affected by the Proposed Action.

Socioeconomic Resources

The return delivery of CVP water to WWD will provide water to the area in future ongoing water supply shortages and will help sustain existing croplands in WWD. The Proposed Action will continue to support the economic vitality in the region. Semitropic and WWD are responsible for managing water for the benefit of agriculture, since they exist to support growers within their respective districts. Maximizing the use of operational exchanges is beneficial to

local economic conditions and agricultural employment. There will be no significant impacts from the Proposed Action.

Environmental Justice

The Proposed Action will allow CVP water to be conveyed through existing facilities to an established water banking facility and then returned to WWD in future water supply shortages. The Proposed Action will not cause dislocation, changes in employment, or increase flood, drought, or disease. The Proposed Action will not disproportionately impact economically disadvantaged or minority populations. No impacts relevant to Environmental Justice are anticipated because the project does not include any construction or development of project facilities, or any change in operations that will affect the general public. Therefore, there will be no significant impacts.

Air Quality

The use of groundwater will require pumps to lift the groundwater to the surface. Electric pumps will be used to recover stored groundwater. These pumps will not emit pollutants at the pump; the source of the pollutants originates at the power plant. Power plants are permitted based on their maximum operating potential. The additional electricity will not result in the power plant exceeding operating capacity, and, thus, the applicable emissions permit. A majority of power is derived from fossil fuel combusted at power plants to generate electricity. CO₂ is the primary pollutant emitted as a result of the oxidation of the carbon in the fuel. NO_x and PM₁₀ are also emitted.

In summary, the construction and operation of the Proposed Action will not cause an adverse impact to air quality in the San Joaquin Valley Air Basin or exceed applicable standards. Therefore, there will be no significant impacts to air quality from the Proposed Action.

Climate Change

The Proposed Action does not include any change on the composition of the atmosphere and therefore will have no direct effects on changes in climate.

Water allocations are made dependent on hydrologic conditions and environmental requirements. Since Reclamation operations and allocations are flexible, any changes in hydrologic conditions due to global climate change will be addressed within Reclamation's operation flexibility and therefore water resource changes due to climate change will be the same with or without the Proposed Action.

Cumulative Impacts

The Proposed Action will allow WWD to bank available CVP water for future delivery to meet crop demands during future water supply shortages. No native or previously untillied lands will be put into production. The Proposed Action will maintain existing land uses and will not contribute to cumulative changes or impacts to land uses or planning, air quality, cultural resources, Indian trust assets, socioeconomic resources, environmental justice, or global climate change. Therefore, there will be no cumulative effects as a result of the Proposed Action.